

**DUTY STATEMENT**

DFW 242A (REV. 03/18/14)

<b>INSTRUCTIONS:</b> A duty statement and organizational chart must be submitted with each Request for Personnel Action, Form 242		EFFECTIVE DATE	07/01/2021
DFW DIVISION/BRANCH/REGION/OFFICE <b>Executive Branch / Legal</b>		POSITION NUMBER (Agency-Unit-Class-Serial) <b>565-007-5778-905</b>	
UNIT NAME AND LOCATION <b>Office of the General Counsel</b>		CLASS TITLE <b>Attorney I</b>	
INCUMBENT		CURRENT POSITION NUMBER (Agency-Unit-Class-Serial) <b>565-007-5778-XXX</b>	
BRIEFLY DESCRIBE THE POSITION'S ORGANIZATION SETTING AND MAJOR FUNCTIONS  This position will report directly to an Assistant Chief Counsel position in the Office of General Counsel (OGC) but will also work with the Department's General Counsel and other lawyers in OGC. This position will work closely with the Department's scientific, enforcement and admin teams to support the Department's activities related to wildfire.			
<b>PERCENTAGE OF TIME PERFORMING DUTIES</b>	INDICATE THE DUTIES AND RESPONSIBILITIES ASSIGNED TO THE POSITION AND THE PERCENTAGE OF TIME SPENT ON EACH. GROUP RELATED TASKS UNDER THE SAME PERCENTAGE WITH THE HIGHEST PERCENTAGE FIRST. (USE THE REVERSE SIDE IF NECESSARY.)		
<b>20%</b>	<b><u>ESSENTIAL FUNCTIONS:</u></b>  Efficiently and effectively support the Administrative Branch, primarily Contract Management Services, but could include other divisions and programs. Research and draft formal and informal legal opinions, correspondence, and memoranda regarding all aspects of administrative law. This includes, but is not limited to, provisions in the Public Contract Code, Fish and Game Code, the Government Code, the State Contracting Manual, the State Administrative Manual, and the Fish and Game Operations Manual.		
<b>20%</b>	Efficiently and effectively support scientific, grants, and enforcement staff on legal issues related to human-wildlife conflict, planning and lands-management under the Fish and Game Code in support of the Department's prevention and response to wildfire. Research and draft formal and informal legal opinions, correspondence, and memoranda regarding all aspects of wildlife and natural resources law. This includes, but is not limited to, provisions in the Fish and Game Code, the Government Code, the Public Resources Code, and the Water Code.		
<b>20%</b>	Efficiently and effectively conduct research and provide legal counsel related to the California Environmental Quality Act, the California Endangered Species Act, Fish and Game Code section 1600 et seq., public trust resources, Department regulations, and interpretations of the California Fish and Game Code. Negotiate, draft, and review complex agreements on behalf of the Department. Assist Department staff with managing the administrative record, drafting documents including findings in anticipation of litigation for complex Department projects or permitting efforts.		
<b>10%</b>	Efficiently and effectively exercise judgment to establish and maintain litigation holds and assist the Attorney General's Office in litigation in which the Department is a party, including providing that office policy direction, reviewing and editing pleadings, assisting Department staff in preparing declarations, and assisting in all aspects of discovery.		
<b>10%</b>	Efficiently and effectively review, analyze, and process responses to requests pursuant to the Public Records Act.		
<b>10%</b>	Efficiently and effectively research and draft analyses of bills pertaining to CDFW interests. Research the need for and draft proposed legislation to further CDFW's interests.		
<b>10%</b>	<b><u>NON-ESSENTIAL FUNCTIONS:</u></b>  Analyze legislation, draft regulations and get them approved pursuant to the Administrative Procedure Act, and research and apply the state's open meeting laws and other provisions of the Government Code relating to the operation of state Department's generally.		

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	<p><b>KNOWLEDGE AND ABILITIES</b></p> <p><b>Knowledge of:</b> Legal research methods and performing research; legal principles and their application; scope and character of California statutory law and of the provisions of the California Constitution; principles of administrative and constitutional law; trial and hearing procedure; and rules of evidence; court procedures; administrative law and the conduct of proceedings before administrative bodies; legal terms and forms in common use; statutory and case law literature and authorities; and provisions of laws and Government Code sections administered or enforced.</p> <p><b>Ability to:</b> Research; analyze, appraise, and apply legal principles, facts, and precedents to legal problems; analyze situations accurately and adopt an effective course of action; prepare and present statements of fact, law, and argument clearly and logically in written and oral form; prepare correspondence involving the explanation of legal matters; draft opinions, pleadings, rulings, regulations, and legislation; negotiate effectively and conduct crucial litigation; work cooperatively with a variety of individuals, organizations and maintain the confidence and respect of others; and work effectively under pressure.</p> <p><b>DESIRABLE QUALIFICATIONS:</b></p> <p><b>Special Personal Characteristics:</b> Exceptional lawyering skills, especially communication and representation. Working in groups and on teams effectively. Taking direction from supervisors and other senior management.</p> <p><b>WORKING CONDITIONS:</b> This position will be located in Sacramento. Some overnight travel will be required.</p>	
<b>SUPERVISOR'S STATEMENT: I HAVE DISCUSSED THE DUTIES OF THE POSITION WITH THE EMPLOYEE.</b>		
PRINT SUPERVISOR'S NAME	SUPERVISOR'S SIGNATURE	DATE
<p><b>EMPLOYEE'S STATEMENT: I HAVE DISCUSSED WITH MY SUPERVISOR THE DUTIES OF THE POSITION AND HAVE RECEIVED A COPY OF THE DUTY STATEMENT.</b></p> <p><b>I HAVE READ AND UNDERSTAND THE DUTIES AND ESSENTIAL FUNCTIONS OF THE POSITION AND CAN PERFORM THESE DUTIES WITH OR WITHOUT REASONABLE ACCOMMODATION.</b></p>		
PRINT EMPLOYEE'S NAME	EMPLOYEE'S SIGNATURE	DATE